

# DELEGATED REPORT

Application No: P/20/0227

Site Address: 2 The Birchway  
Trefechan  
Merthyr Tydfil  
CF48 2HA

Development: Single-storey rear extension (Certificate of Lawful Development)

Case Officer: Marlene Ferreira

Site Visit: 15th October 2020

Application Expiry Date: 18th November 2020

Consultation reply date expired:

## APPLICATION SITE

The application site relates to a semi-detached dwelling, 2 The Birch Way in the area of Trefechan. The dwelling is set back from the front highway and is served by a large front grassed area. To the rear of the property, the dwelling is served by an enclosed garden, where a shed and an outbuilding has been constructed.

## DESCRIPTION OF DEVELOPMENT

This application is for a lawful development certificate in respect of a proposed single storey extension. The application has been submitted to determine whether the proposed extension is 'permitted development' under the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

The submitted plans illustrate that the existing outbuilding immediately adjacent the rear elevation (on the western side) will be demolished and a new extension, a shallow pitched roof addition, would be constructed to the eastern side of the rear elevation. This seeks to provide a bedroom and shower room. It would measure approximately 5.2 metres wide, 3.7 metres deep with a 3.45 metre ridge height. The extension would be finished in materials to match the existing dwelling.

## PLANNING HISTORY

The council's records do not show any other relevant or recent planning history relating to this property which would be relevant to the consideration of this application.

## CONSULTATIONS

None are applicable under certificate of lawfulness applications.

## PUBLICITY

None are applicable under certificate of lawfulness applications.

## POLICY CONTEXT

As a certificate of lawfulness is sought for the proposed rear extension, the planning merits of the proposal are not under consideration. The planning policies are therefore not relevant to the assessment of this application.

## PLANNING CONSIDERATIONS

This application is considered under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Part 1, Class A allows an extension to the property subject to the following conditions:

A.1     *a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

*(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;*

*(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;*

*(d) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and—*

*(i) the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 3 metres; or*

*(ii) the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres;*

*(i) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have a single storey and would - ;*

*(i) extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres; or*

*(ii) exceed 4 metres in height;*

A.3 (a) *the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse.*

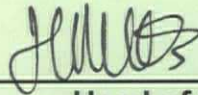
The proposed single storey extension would not result in development which would exceed 50% of the total curtilage area and as such would comply with part A.1 a). The proposed extension would not be within 2 metres of the boundary and would measure 2.5 metres to the eaves and 3.45 metres to the ridge and as such would comply with part A.1 b), c) and d). The extension would project 3.7 metres from the rear wall of the property and would be finished in matching materials and finishes. As such, it would comply with part A.1 (i) and A.3 (a). The proposal therefore satisfies the above relevant conditions.

The property is not a listed building and does not lie within a designated conservation area. In addition, there are no restrictive conditions nor have the removal of permitted development rights been enforced on this particular property. Thus, it is considered that the evidence submitted adequately indicates that the proposal would be classed as permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Accordingly, it is recommended that a certificate of lawfulness be issued.

**RECOMMENDATION: BE APPROVED**

The proposal is permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

**RECOMMENDATION ENDORSED**



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**Head of Town Planning**

**DATE:**

15/10/20.